



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

SB2014

Introduced 2/7/2008, by Sen. Susan Garrett

SYNOPSIS AS INTRODUCED:

65 ILCS 5/11-13-25

Amends the Illinois Municipal Code. Provides that any decision by the corporate authorities of any municipality regarding any petition or application for a special use, variance, rezoning, or other amendment to a zoning ordinance (instead of any special use, variance, rezoning, or other amendment to a zoning ordinance adopted by the corporate authorities of the municipality) is subject to de novo judicial review.

LRB095 14873 HLH 40815 b

1 AN ACT concerning local government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Municipal Code is amended by
5 changing Section 11-13-25 as follows:

6 (65 ILCS 5/11-13-25)

7 Sec. 11-13-25. Actions subject to de novo review; due
8 process.

9 (a) Any decision by the corporate authorities of any
10 municipality, home rule or non-home rule, in regard to any
11 petition or application for a special use, variance, rezoning,
12 or other amendment to a zoning ordinance ~~adopted by the~~
13 ~~corporate authorities of any municipality, home rule or~~
14 ~~non-home rule,~~ shall be subject to de novo judicial review as a
15 legislative decision, regardless of whether the process in
16 relation thereto ~~of its adoption~~ is considered administrative
17 for other purposes. Any action seeking the judicial review of
18 such a decision shall be commenced not later than 90 days after
19 the date of the decision.

20 (b) The principles of substantive and procedural due
21 process apply at all stages of the decision-making and review
22 of all zoning decisions.

23 (Source: P.A. 94-1027, eff. 7-14-06.)